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Attorney for Plaintiff

THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT DODSON,

Plaintiff,

vs.

DOLLAR TREE STORES, INC.

dba DOLLAR TREE #1203, et al.,

Defendant.

} Case No. 2:4-cv-1068-MCE-CMK

} **Stipulation to Abandon Claims for  
Statutory Damages and Waive Jury  
Trial**

} Trial: June 28, 2006

} Time: 9:00 a.m.

} Crtm: 3, 15<sup>th</sup> Floor

} Honorable Morrison C. England, Jr.

IT IS HEREBY STIPULATED between the plaintiff on the one hand,  
and the defendant on the other, through their respective counsel, as follows:

1. Plaintiff hereby waives his claims for statutory damages under  
California Civil Code sections 52(a) ("Unruh Civil Rights Act") and 54.3(a)  
("Disabled Persons Act") as prayed for in Plaintiff's Third and Fourth Claims  
for Relief. As such, Plaintiff is now only seeking Injunctive Relief.

2. In consideration of Plaintiff's waiver of statutory damages, the Parties respectfully request that the matter be tried by the Court without a Jury. Defendant hereby waives its right to a jury trial in this matter.

3. The Parties now anticipate a one to two day Court Trial.

Dated: June 21, 2006 LAW OFFICES OF LYNN HUBBARD

/s/ Mark Emmett, Esquire

MARK EMMETT

Attorney for Plaintiff

Dated: June 21, 2006 KRING & CHUNG

/s/ Shane Singh, Esquire


SHANE SINGH

Attorney for Defendant

### ORDER

GOOD CAUSE APPEARING, the foregoing is approved. Court Trial in this matter shall commence on June 28, 2006 at 9:00 a.m. In light of the parties stipulation to waive damages and jury trial, the time for court trial will be one (1) day. The hearing date of June 27, 2006 regarding Motions in Limine and other Pre-Trial motions is vacated, as they shall be heard on June 28, 2006 at 9:00 a.m.

Dated: June 26, 2006

  
MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE